

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20035-AD21-0113-008

IN THE MATTER OF:)

Juan M. Gil)
3501 S.W. 160th Avenue, FL 3,)
Miramar, FL 33027-4695)

Applicant.)

Type of Agency Action: Enforcement)

License Application #: 828408)

FILED

MAR 11 2021

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Juan Michael Gil ("Applicant") of the following Administrative Order:

1. Applicant, previously known as Michael J. Gil, submitted an application to activate his nonresident producer license with the Commissioner of the Indiana Department of Insurance ("Commissioner") on November 16, 2020.
2. Applicant's Indiana nonresident producer license was first issued on or around January 27, 2011, and it expired on January 31, 2013, due to Applicant's failure to submit a license renewal fee.
3. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.

4. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
5. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for using fraudulent, coercive, dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
6. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
7. Following a review of materials submitted by the Applicant and a review of public records, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure, as stated by Indiana Codes §§ 27-1-15.6-12(b)(1), 27-1-15.6-12(b)(8) and 27-1-15.6-12(b)(9) due to Applicant's failure to disclose on his 2020 application for licensure the following administrative actions, which includes two license surrenders, and a license revocation:
 - a. On January 17, 2013, the Arizona Department of Insurance issued a Consent Order, wherein Applicant surrendered his nonresident producer license;
 - b. On December 1, 2013, the South Dakota Division of Insurance revoked Applicant's nonresident producer license;
 - c. On February 25, 2014, the North Carolina Department of Insurance took an administrative action, wherein Applicant voluntarily surrendered his nonresident producer license; and

- d. On July 25, 2014, the Utah Insurance Department took an administrative action against Applicant by assessing an administrative forfeiture of five hundred dollars (\$500).
8. Indiana Code § 27-1-15.6-12(d) provides that the Applicant may, not more than sixty-three (63) days after notice of denial of the applicant's application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.
9. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6-12(b)(1), 27-1-15.6-12(b)(8) and 27-1-15.6-12(b)(9) due to Applicant's failure to disclose to four administrative actions on his application for licensure, one of which includes a license revocation. Applicant may reapply for licensure not less than one (1) year from the date of this order.

3-11-2021

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

Juan Michael Gil
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